

**MINUTES**  
**REGULAR MEETING OF THE CITY COUNCIL**  
**CITY OF MEMPHIS**  
**October 2, 2012**

**3:30 P.M. SCHEDULED SESSION**

**3:30 P.M. MEETING COMMENCED**

**ROLL CALL:** William Boyd, Joe Brown, Harold Collins, Kemp Conrad, Shea Flinn, Edmund Ford, Jr., Janis Fullilove, Lee Harris, Reid Hedgepeth, Myron Lowery and Jim Strickland. Wanda Halbert and Chairman Bill Morrison were absent

**THE MEETING WAS CALLED TO ORDER  
BY SERGEANT-AT-ARMS**

**INVOCATION**

The meeting was opened with prayer by Minister Mike Williams from New Beginning All Life Ministry. Councilwoman Fullilove presented Minister Williams with a certificate naming him Chaplain of the day.

**These minutes record the agenda items and the action taken by the Council on such items. The full text of the original of the ordinances, resolutions and supporting documents, including an audio recording of Council's deliberations are filed and maintained in the office of Council Records/Records Management, Room 2B-08. The original ordinances and/or resolutions adopted by the Council shall control in the event of any conflict between the description in these minutes and the original documents, ordinances and/or resolutions.**

**MINUTES**

Approval of the Minutes of the regular meeting of September 18, 2012 with the following motion:

**MOTION:** Boyd  
**SECOND:** Strickland  
**AYES:** Boyd, Brown, Collins, Conrad, Flinn, Fullilove, Harris, Hedgepeth, Lowery, Strickland and Vice Chairman Ford  
Halbert and Morrison were absent

**APPROVED**

1. **RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED ON THE NORTHEAST CORNER OF E. HOLMES ROAD AND HORNSBY (ST. PAUL BAPTIST CHURCH), CONTAINING 10.1 ACRES IN THE RESIDENTIAL SINGLE FAMILY-8 (R-8) DISTRICT.**

Case No. SUP 12-218

Applicant: TV6W, LLC (Tower Ventures)  
Lou Katzerman – Representative

Request: Proposal to construct a one hundred thirty eight foot (138') Monopole CMCS Tower

LUCB and OPD recommendation: APPROVAL, with conditions

**No Opposition at LUCB; No Public Hearing Required**

MOTION: Ford  
SECOND: Strickland  
AYES: Boyd, Brown, Collins, Conrad, Fullilove, Harris, Hedgepeth, Lowery,  
Strickland and Vice Chairman Ford  
Flinn recused  
Halbert and Morrison were absent

**APPROVED**

**CONSENT AGENDA – Items 2-6 may be acted upon by one motion: SEE PAGE 2370 FOR ROLL CALL**

2. **ORDINANCE TO AMEND CHAPTER 9-60 (LITTER CONTROL) OF THE CITY OF MEMPHIS CODE OF ORDINANCES TO ADD VEHICLE IMPOUNDMENT FOR ILLEGAL DUMPING, UP FOR F I R S T READING.**

Ordinance No. 5474

**APPROVED**, on First reading

3. **ORDINANCE TO AMEND CHAPTER 9-58 (TIRE BUSINESS AND TIRE HAULER REGISTRATION) OF THE CITY OF MEMPHIS CODE OF ORDINANCES TO ADD VEHICLE IMPOUNDMENT FOR ILLEGAL DUMPING, UP FOR F I R S T READING.**

Ordinance No. 5475

**APPROVED**, on First reading

4. **ORDINANCE TO AMEND TITLE 7 – ALCOHOLIC BEVERAGES, CHAPTER 7-8 – BEER AND LIGHT ALCOHOLIC BEVERAGES, ARTICLE 2 – LICENSE TO STORE, SELL, DISTRIBUTE OR MANUFACTURE, OF THE CODE OF ORDINANCES, CITY OF MEMPHIS, SO AS TO ALLOW OFF-PREMISE LICENSE HOLDERS TO CONDUCT BEER TASTINGS FOR SALES, PROMOTIONAL AND EDUCATIONAL PURPOSES, UP FOR S E C O N D READING.**

Ordinance No. 5472

**APPROVED**, on Second reading

5. **ORDINANCE TO AMEND CABLE FRANCHISE ORDINANCE NO. 5331 TO BE CONSISTENT WITH COUNCIL'S AUTHORITY AND INTENT, UP FOR S E C O N D READING.**

Ordinance No. 5473

Back to Committee on October 16, 2012

6. **NOTATION FROM LAND USE CONTROL BOARD THAT THE FOLLOWING CASE WAS HEARD AND RECOMMENDATION MADE REQUESTING A DATE OF PUBLIC HEARING:**

A. Case No. PD 12-314 – Annesdale Events P.D.

Public Hearing set for October 16, 2012

### **ROLL CALL CONSENT ITEMS**

MOTION: Fullilove – Pull Item #5 from the Consent Agenda and send back to Committee in 2 weeks

**Vice Chairman Ford stated that without objection, this item will be pulled from the Consent Agenda and sent back to Committee in 2 weeks.**

MAIN MOTION: Strickland

SECOND: Collins

AYES: Boyd, Brown, Collins, Conrad, Fullilove, Harris, Hedgepeth, Lowery, Strickland and Vice Chairman Ford  
Flinn did not cast a vote  
Halbert and Morrison were absent

**APPROVED**, as amended. Item #5 will be pulled from the Consent Agenda and sent back to Committee in 2 weeks

**MLGW FISCAL CONSENT – Items 7-13 may be acted upon by one motion:**

7. **RESOLUTION AWARDING CONTRACT TO DOBBS FORD FOR A ONE-TON BUCKET TRUCK IN THE AMOUNT OF \$81,450.00.**

**APPROVED**

8. **RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 11307, VOICE SYSTEM NETWORK PBX MAINTENANCE, WITH BLACK BOX NETWORK SERVICES, IN THE FUNDED AMOUNT OF \$282,805.07. (THIS CHANGE RENEWS THE CURRENT CONTRACT FOR THE SECOND AND FINAL RENEWAL TERM, JANUARY 14, 2013 TO JANUARY 13, 2014, WITH NO INCREASE IN RATES FROM THE PREVIOUS YEAR).**

**APPROVED**

9. **RESOLUTION AWARDING CONTRACT NO. 11549, 2013 EXTERNAL CORROSION DIRECT ASSESSMENT (ECDA) INSPECTION/SURVEY OF NATURAL GAS PIPELINE, TO SOUTHERN CROSS PIPELINE INTEGRITY SERVICES, LLC D/B/A JW'S PIPELINE INTEGRITY SERVICES, IN THE FUNDED AMOUNT OF \$179,000.00.**

**APPROVED**

10. **RESOLUTION AWARDING CONTRACT TO UNIVERSAL SCAFFOLDING AND EQUIPMENT, LLC FOR 3-1/C #2 AWG CABLE IN THE AMOUNT OF \$75,251.00.**

**APPROVED**

11. **RESOLUTION AWARDING 12-MONTH BLANKET CONTRACT TO INDUSTRIAL SALES COMPANY FOR #4 SOLID WIRE IN THE AMOUNT OF \$134,700.00.**

**APPROVED**

12. **RESOLUTION AWARDING 36-MONTH BLANKET CONTRACT TO MARTIN MARIETTA MATERIALS FOR CRUSHED LIMESTONE IN AN ESTIMATED AMOUNT OF \$2,720,350.00.**

**APPROVED**

13. **RESOLUTION APPROVING CHANGE NO. 4 TO CONTRACT NO. 10640, LEGACY EXTENSION TECHNOLOGY, WITH DATADIRECT TECHNOLOGIES IN THE FUNDED AMOUNT OF \$6,059.03, FOR A NEW CONTRACT VALUE OF \$517,706.92. (THIS CHANGE REFLECTS A CORPORATION NAME CHANGE FROM DATADIRECT TECHNOLOGIES TO PROGRESS SOFTWARE.**

**THIS CHANGE IS ALSO TO RENEW ANNUAL SOFTWARE MAINTENANCE, LICENSE, AND SUPPORT. THE TERM OF THE ANNUAL MAINTENANCE COVERS THE PERIOD NOVEMBER 18, 2012 TO NOVEMBER 17, 2013, WHICH REPRESENTS A 3.52% INCREASE FROM THE PREVIOUS YEAR. MLGW IS REQUESTING CONTINUOUS MAINTENANCE OF THE ACQUIRED SYSTEM, WHICH CAN ONLY BE PERFORMED BY DATADIRECT TECHNOLOGIES).**

**APPROVED**

**MLGW ROLL CALL CONSENT ITEMS**

MOTION: Fullilove  
SECOND: Strickland  
AYES: Brown, Collins, Conrad, Fullilove, Harris, Hedgepeth, Lowery, Strickland and Vice Chairman Ford  
Boyd and Flinn did not cast a vote  
Halbert and Morrison were absent

**APPROVED**

14. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$181,908.00 FROM THE STATE OF TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT DIVISION FOR WIA TITLE I GRANT ADULT PROGRAM.**

MOTION: Conrad  
SECOND: Boyd  
AYES: Boyd, Brown, Collins, Conrad, Flinn, Fullilove, Harris, Hedgepeth, Lowery, Strickland and Vice Chairman Ford  
Halbert and Morrison were absent

**APPROVED**

15. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$406,181.00 FROM THE STATE OF TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT DIVISION FOR WIA TITLE I GRANT FOR THE DISLOCATED WORKER.**

MOTON: Conrad  
SECOND: Strickland  
AYES: Boyd, Brown, Collins, Conrad, Flinn, Fullilove, Harris, Lowery, Strickland and Vice Chairman Ford  
Hedgepeth did not cast a vote  
Halbert and Morrison were absent

**APPROVED**

16. **RESOLUTION AMENDING THE FY2013 SOLID WASTE FUND BUDGET TO ADD \$50,000.00 FOR THE TIRE REDEMPTION PROGRAM.**

MOTION: Strickland  
SECOND: Boyd  
AYES: Boyd, Brown, Collins, Conrad, Flinn, Fullilove, Harris, Hedgepeth,  
Lowery, Strickland and Vice Chairman Ford  
Halbert and Morrison were absent

**APPROVED**

17. **RESOLUTION AMENDING THE FY2013 OPERATING BUDGET BY TRANSFERRING FUNDS PREVIOUSLY BUDGETED AND APPROPRIATED FOR LOBBYING ACTIVITIES FROM THE LAW DIVISION TO THE EXECUTIVE DIVISION IN THE AMOUNT OF \$350,000.00 TO THE EXECUTIVE DIVISION'S INTERGOVERNMENTAL AFFAIRS LEGAL LEVEL FROM THE LAW DIVISION.**

MOTION: Strickland  
SECOND: Boyd  
AYES: Boyd, Brown, Collins, Conrad, Flinn, Fullilove, Harris, Hedgepeth,  
Lowery, Strickland and Vice Chairman Ford  
Halbert and Morrison were absent

**APPROVED**

18. **RESOLUTION AUTHORIZING THE SALE OF CITY OWNED PROPERTY LOCATED AT 0 STARLING STREET (04302200003) IN THE BUNGALOW PARK SUBDIVISION AREA, TO WILBERT HENDERSON IN THE AMOUNT OF \$100.00.**

MOTION: Brown  
SECOND: Fullilove  
AYES: Boyd, Brown, Collins, Conrad, Flinn, Fullilove, Harris, Hedgepeth,  
Lowery, Strickland and Vice Chairman Ford  
Halbert and Morrison were absent

**APPROVED**

19. **RESOLUTION APPROPRIATING \$2,250,000.00 FUNDED BY GO BONDS-GENERAL CHARGEABLE TO THE FY2013 CAPITAL IMPROVEMENT BUDGET AND THE INITIATION OF OFFICIALLY CHANGING THE NAME OF THE CLEABORN/TRIANGLE NOIR PROJECT TO THE CLEABORN POINTE AT HERITAGE LANDING/HERITAGE TRAILS PROJECT.**

MOTION: Brown  
SECOND: Fullilove  
AYES: Boyd, Brown, Collins, Conrad, Flinn, Fullilove, Harris, Hedgepeth, Lowery,

Strickland and Vice Chairman Ford  
Halbert and Morrison were absent

**APPROVED**

**INTRODUCTION OF ITEMS ON MATTERS BY THE GENERAL PUBLIC:**

Chairman Morrison recognized the following person who spoke from the audience:

Khunbok Ahn, 1490 Dimwood, Memphis, TN 38134  
Sidney Chism, 5335 Bethune Cv., Memphis, TN 38109  
Lee Cochran, 179 Richbriar, Memphis, TN 38120  
Keith Hart, 498 E. Shelby Dr., Memphis, TN 38109  
Henry Long, Jr., 745 Solitaire Cv., Memphis, TN 38109  
Earnest Pickens, 1981 W. Holmes Rd., Memphis, TN 38109  
Pastor Clennon Saulsberry, Sr., 1654 Babs Rd., Memphis, TN 38116  
Blanche Wilson, 1313 Richland Dr., Memphis, TN 38116  
Minister Kennith Van Buren, 4273 Glenbrook St., Memphis, TN 38109

**ADJOURNED MEETING AT 4:19 P.M.**

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Upon statement of the Chairman, without objection, the meeting was adjourned, subject to the call of the Chairman.

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CHAIRMAN

Attest:

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Deputy Comptroller/Council Records